

26 March 2004

UZBEKISTAN: Lawyer disbarred for defending believers?

By Felix Corley, Forum 18

Tashkent-based lawyer Nail Gabdullin believes he has had his licence to practice stripped from him in retaliation for his work defending religious believers. "There is no other reason," he told Forum 18 News Service. Among those Gabdullin has defended are Pentecostals, Baptists and Adventists, and he is working to regain the registration stripped from the Urgench Baptist Church in February. But a specialist at the Tashkent city justice administration familiar with his case denied he has been punished for his work. "Defending believers has nothing to do with it," Svetlana Zhuraeva insisted to Forum 18, though she refused to give what she claims is the reason. Only a handful of Tashkent's 2,000 lawyers are disbarred each year.

Nail Gabdullin, a lawyer based in the capital Tashkent, believes his licence to practice was summarily cancelled for his work in defending believers. "This has been done because I defend believers," he told Forum 18 News Service from Tashkent on 25 March. "There is no other reason." However, a justice department official denied to Forum 18 that the cancellation of the licence had anything to do with the cases Gabdullin has taken up. "That is not true. It's not the reason. Defending believers has nothing to do with it," Svetlana Zhuraeva insisted to Forum 18 on 25 March. "Everything has been done in accordance with the law."

Gabdullin said he lodged a complaint to the justice minister on 25 March. "I don't think it will be successful, but I have to try."

In a terse 19 March letter, which Gabdullin received on 24 March, Nazar Zakirov, the deputy head of the justice administration for the city of Tashkent, informed him that his licence had been annulled by the qualification commission "for violating Article 15 of the law on the advocacy profession". It gave no grounds for this decision. "The justice administration has the right to cancel my licence, but there must be a legal basis," Gabdullin told Forum 18.

Zhuraeva, who is chief specialist at the Tashkent justice administration, told Forum 18 she is familiar with the case, although she does not sit on the qualification commission. She said Gabdullin's licence was annulled in the wake of two complaints from individuals, but she refused to divulge the nature or origin of the complaints. She claimed Gabdullin had been given the full reasoning behind the decision, something Gabdullin denies. "All I got was the brief letter," he insisted to Forum 18.

Gabdullin identified one of the complainants as Gulnara Saidova, a former criminal who has lost one of two cases against a client he has defended. She complained that both Gabdullin and the client were Baptists.

Gabdullin said that a number of the cases he takes on have been to defend the rights of believers, including Pentecostal, Baptist and Adventist cases. "We have defended whoever has come to us." He said he had won some 95 per cent of the cases he had taken on, adding that his work had led to the disciplining of fourteen police officers (one of whom was sacked) for violating the law when drawing up documentation and of two education officials.

Among recent cases he has won was a complaint about the action of the police in 2002 that led to the sentencing under the code of administrative offences of Oleg Bader, the pastor of a Baptist church in Urgench in Karakalpakstan. This led to two police officers being punished. He is also helping the church to try to regain the registration it was stripped of on 27 February of this year (see F18News 4 March 2004 http://www.forum18.org/Archive.php?article_id=267).

Zhuraeva told Forum 18 there are some 2,000 lawyers in Tashkent, and that only about three or four have their licences cancelled each year. "This is something exceptional." She said that without a licence, Gabdullin would no longer be able to practice as a lawyer.

For more background information see Forum 18's latest religious freedom survey at

http://www.forum18.org/Archive.php?article_id=105

A printer-friendly map of Uzbekistan is available at

<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki>

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY